

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

Kermit West  
Petitioner

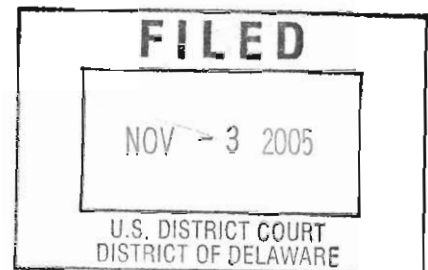
V

Thomas Carroll  
Respondent

C.A. NO. 05-438-JJF

MOTION FOR  
IMMEDIATE  
RELEASE

TO: U.S. DISTRICT COURT  
ATT. Peter Dailes  
844 N. King Street  
Lock Box 18  
Wilmington De 19801-3570



Please take notice that the enclosed Motion  
For Immediate Release, is being presented to this  
Honorable Court

Date

Kermit West  
~~Kermit West~~  
1181 Paddock Road  
Smyrna De 19977

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

Kermit West

Petitioner

v.

Thomas Carroll

Respondent

C.A. NO. 05-438-JJF

MOTION FOR  
IMMEDIATE  
RELEASE

Petitioner, Kermit West, prays that this Honorable Court grants this Motion for Immediate Release, for the following reasons as listed below.

1. On Sept 16 1962, Petitioner stood before Judge Christie in Superior Court in Georgetown Del.
2. On Sept 16, 1962, Petitioner and Public Defenders, H. Edwards Maull and John J. McNeilly. Petitioner entered in a plea agreement, with State of Del. to 2 charges of second degree murder 2 counts, and with mercy of the Court and recommendations of the Court.

3. On Sept 16 1962, Judge Christie sentence Petitioner to 2 thirty years Sentence's to run concurrent, Original release was in Jan 89.

4. Dept of Corrections Warden Thomas Carroll has had ample time to produce, Sentenceing order signed by Judge Christie,

5. As to Del. Title 11 Codes, 1974 to 2001, Del. Title 11 code 102 subsection (c) Pititioner's sentence could not be changed.

6. As to Del. Title 11 code 3903, 1974 to 2001, Warden Thomas Carroll, should have in his possession a certified copy of Petitioner's sentenceing order signed by Judge Christie.

7. As to Law Change, chapter 308 Del. title 11 Code 3901, Formerly Senate bill NO. 331, Subsection (D) consecutive Sentences were mandate for offences committed after Feb 2 1976

8. Petitioner, has more than served his time, Petitioner, has served in all 45 years in prison, 15 years past original release date of thirty years.

9. Petitioner has written to Cindy Wright DOC. Dept of records, asking for a copy of Sentencing order, and Del. Public Archives 121 Duke of York St, Dover De 19901 and the Prothonotary Superior Court Georgetown Del. Petitioner has not gotten any answers back
10. For the reasons stated above, and to the original Sentencing order, Petitioner asks for Immediate Release.

I, Kermit West, states to the best of his Knowledge, the statements above are true and correct, Petitioner ask this Honorable Court to grant this motion for Immediate Release.

Date

Kermit West  
*Kermit West*  
1181 Paddock Road  
Smyrna Del. 19977

## Certificate of Service

I, Kermit West, do hereby state that on this date  
1 day of Nov 05, copies of Motion for IMM-  
ediate Release, were served by first class  
mail on the following

U.S. District Court  
844 N. King St, Lockbox 18  
Wilmington De. 19801-3570

Thomas Carroll  
1181 Paddock Road  
Smyrna De. 19977  
mailed in house mail

Date NOV. 1. 05

*Kermit West*  
Kermit West  
1181 Paddock Road  
Smyrna De 19977

1/M Kermit West  
SBI# 034066 UNIT D.E.F 14  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977



Office of the Clerk

US District Court

844 N. King St Lock Box 18

Wilmington De

19801-3570



19801-3570 